

**MINUTES RECAP
MARYSVILLE CITY COUNCIL - REGULAR MEETING
JUNE 5, 2000**

000210

CALL TO ORDER/FLAG SALUTE	7:00 p.m.
ROLL CALL	Pedersen absent.
MINUTES OF PREVIOUS MEETING 1. May 22, 2000 city council	Approved as corrected.
AUDIENCE PARTICIPATION None	
PRESENTATIONS/PETITIONS/COMMUNICATIONS None.	
ACTION ITEMS	
REVIEW BIDS	
1. Dump truck replacement	Approved award to Valley Freightliner (cab/chassis) and North End Truck (dump bed).
2. Coating screw pumps at wastewater treatment plant headworks.	Approved award to HRIC.
PUBLIC HEARING None.	
CURRENT BUSINESS None.	
NEW BUSINESS	
1. Professional services agreement with RH2 Engineering, Inc. for the 51 st Street lift station rehabilitation.	Approved
CONSENT AGENDA	
1. Approve June 5, 2000 Claims in the amount of \$543,348.24; paid by check Nos. 52464 through 52690 with Check Nos. 52306, 52035, 52301, 52379, and 52474 void.	Approved.
2. Approve May, 2000 Payroll in the Amount of \$825,373.05; paid by check Nos. 38167 through 38380 with check No. 38380 Void.	Approved.
3. Approve new liquor license for Las Margaritas Family Mexican Restaurant.	Approved.
4. Approve liquor license renewals for Chevron/PDQ Oil Company #1103; Albertson's #471; Fra Amici Italian Restaurant; G. A. Maxwell's; and The Great Northern California Tavern.	Approved.
LEGAL MATTERS	
1. Water utility easement, Marysville School District	Approved.
ORDINANCES AND RESOLUTIONS	
1. A Resolution of the City of Marysville amending Resolution No. 1980 Relating to the grant of a utility variance for Duane Smith for property Located at 5115 124 th Place N.E., Marysville, Washington.	Approved Resolution 1986.
2. A Resolution of the City of Marysville granting a utility variance for Dujardin Development Company for property located at 108 th Street N.E. and 67 th Avenue N.E., Marysville, Washington.	Approved Resolution 1987.
3. A Resolution of the City of Marysville granting a utility variance for Boyden Robinett & Associates, L.P. for property located at 10110 59 th Drive N.E., Marysville, Washington.	Approved Resolution 1988.
4. A Resolution of the City of Marysville granting a utility variance for Gateway Everett, LLC for property located at 18111 25 th Avenue N.E., Arlington, Washington.	Approved Resolution 1989.
5. A Resolution of the City of Marysville repealing Resolution No. 1782 and adopting a new hotel/motel tax policy.	Approved Resolution 1990.
6. A Resolution of the City of Marysville establishing a policy for recognition of volunteers and approval of expenses incurred by volunteers and other non-city employees.	Approved Resolution 1991.
INFORMATION ITEMS	
1. Mayor's business	
2. Staff's business	
3. Call on councilmembers	
ADJOURN INTO EXECUTIVE SESSION	8:30 p.m.
RECONVENE No action taken.	
ADJOURN	9:10 p.m.

**MINUTES
MARYSVILLE CITY COUNCIL - REGULAR MEETING
JUNE 5, 2000**

CALL TO ORDER/FLAG SALUTE

The meeting was called to order by Mayor David Weiser at 7:00 p.m. in the Council Chambers, and the assemblage joined in the flag salute. A voice roll call of councilmembers was conducted. Attendance was as follows:

Councilmembers Present:

David Weiser, Mayor
Mike Leighan, Mayor Pro Tem
Shirley Bartholomew
Jim Brennick
NormaJean Dierck
Suzanne Smith
John Soriano

Administrative Staff present:

Dave Zabell, City Administrator
Robert Carden, Chief of Police
Grant Weed, City Attorney
Larry Larson, Public Works Superintendent

Mayor Weiser advised that Councilmember Pedersen was on vacation and unable to attend.

MINUTES OF PREVIOUS MEETING

1. City Council Meeting, May 22, 2000.

Councilmembers noted the following corrections:

- Page 3, third paragraph fifth sentence should read "...that would likely be routed to the west, between the tracks and the bridge on 88th."
- Page 4 second paragraph should read "...had been routed through a residential neighborhood."

MOTION by Bartholomew, second by Dierck, to approve the minutes of the May 22, 2000 meeting as corrected. Motion carried unanimously (6-0).

AUDIENCE PARTICIPATION

None.

PRESENTATIONS/PETITIONS/COMMUNICATIONS:

None.

ACTION ITEMS

Review Bids

1. Dump truck replacement

Roger Kennedy, Fleet and Facilities Manager, gave the background presentation, noting council had approved \$50,000 in the 2000 budget. The additional \$16,000 would come from the equipment replacement fund. The old Public Works dump truck would be transferred to the Street Department, as it was still operational and would meet their needs. Consequently, the Street Department would not be purchasing a new truck as planned, so this transfer would save approximately \$34,000. The Street Department's existing dump truck, which was 34 years old, would be sold at auction.

MOTION by Bartholomew, second by Brennick, to accept the bid of Valley Freightliner, Inc. for the truck cab/chassis and accept the bid of North End Trucks from the state bid list for the dump bed, for a total of \$65,757.12, including taxes. Motion carried unanimously (6-0).

2. Coating screw pumps at the wastewater treatment plant headworks.

Mr. Larson backgrounded council and distributed photos showing how grit and sand had corroded the screws and worn the coating off. The scope of work called for sandblasting the screws in place then coating them with a Polyflake or equivalent material.

Dale Thayer, Wastewater Treatment Plant Supervisor, gave additional information on Polyflake and the information he had received from other cities about their success with it. He noted the screws had originally been painted with a high quality coating, but not Polyflake.

Councilmember Bartholomew commented on the disparity of the bids from a low of \$27,087 to a high of \$226,138. Mr. Thayer responded that he had taken each bidder on a tour of the treatment plant and reviewed the scope of work. They all had been well informed on the work that needed to be done. Councilmember Bartholomew asked if the low bidder was a well-established, reputable firm. Mr. Thayer stated they were and that the city was already a customer of theirs. Councilmember Brennick asked if the disparity was from some of the bidders adding more work into their bids than was called for in the city's scope of work. Mr. Thayer responded that all the bidders were responding to the same scope of work, they all had received the same tour and were given a drawing of the system. The work was to be done in place, with no disassembly.

Brad Bradshaw, 1102 Bonnevill Avenue, Snohomish, spoke for HRIC, the low bidder. He explained the Polyflake coating, stating its strength was between 12 and 15 psi. He noted that the bid called for Polyflake or equivalent. Some of the other bidders had prepared their bids on other products. For example, Chesterton was about \$400 a kilo; Polyflake was \$45 a kilo.

Councilmember Brennick asked if the quality of Polyflake was as good as the other products. Mr. Bradshaw stated that Everett used it and it was holding up well. The standard warranty was one year but he was willing to extend it to ten years, twice the length of time the existing coating had been on.

Gary Fortner, 1802 10th Avenue South, Seattle, spoke for one of the unsuccessful bidders, Long Painting Company. He noted his company's concerns had been set out in their letter of May 15, mainly that HRIC was either the manufacturer or the sole supplier of the Polyflake product, so HRIC was able to bid lower because they controlled the price of the product.

Mr. Weed noted that eight bids had been received, with HRIC the low bidder and Long the second lowest. In the agenda packet, HRIC had responded to Long's bid protest as follows:

- HRIC was not the manufacturer of the coating product.
- HRIC based its own bid on a cost of \$45.15 per kilo, the same as it charged to the other painting companies.
- There was no provision in state law requiring a supplier to offer the same price to all contractors. While HRIC did do that, it had no legal requirement to do so.

Mr. Weed stated there was no violation of the bid law or other basis for rejection of the apparent low bidder and award to any other bidder.

Councilmember Leighan asked if the contract would be a prevailing wage contract; Mr. Weed responded that it would; the contractor would need to pay prevailing wage. An affidavit to that effect would be obtained prior to entering into the contract.

MOTION by Dierck, second by Leighan, to accept the low bid of \$29,308.13, including tax, from HRIC Incorporated. Motion carried unanimously (6-0).

Public Hearing

None.

Current Business.

None.

New Business

1. Professional services agreement with RH2 Engineering, Inc. for the 51st Street lift station rehabilitation

Mr. Larson gave the background presentation, noting council had budgeted for this work. The lift station had been installed in 1970 and was a major component of the sewer system. After a serious storm and power outage, the city received funding from

FEMA to install a permanently-mounted generator. With that exception, the station had received only routine maintenance over the years. He explained this action was for an engineering study, only; when it was completed, a scope of work would be prepared and improvements made, probably next year. He assured that the \$115,000 remaining in the budgeted amount would be adequate for the design and creating the specifications. He noted that adding the generator had addressed the issue of overflow going into Quilceda Creek.

Councilmember Dierck asked if there had ever been an instance where raw sewage had gone into the creek. Mr. Larson responded that during the 1994 inaugural day storm there had been a prolonged power outage. At that time there was no emergency backup generator. The sewage had been trucked from the station, but 50,000 gallons had overflowed into the creek through the overflow piping. The lift station was 50 or 60 feet from the stream.

Councilmember Dierck asked about future development, which would make additional demands on the station. Mr. Larson responded that there was an abundance of capacity as the station was only being utilized at 25% of its capacity. It was the age of the facility that was driving the need for this work.

The Mayor called for public comments; there were none.

MOTION by Brennick, second by Bartholomew, to approve the professional services agreement with RH2 Engineering, Inc. in the amount of \$35,000 and authorize the Mayor to execute the agreement on behalf of the City. Motion carried unanimously (6-0).

CONSENT AGENDA

1. Approve June 5, 2000 Claims in the amount of \$543,348.24; paid by check Nos. 52464 through 52690 with Check Nos. 52306, 52035, 52301, 52379, and 52474 void.
2. Approve May, 2000 Payroll in the Amount of \$825,373.05; paid by check Nos. 38167 through 38380 with check No. 38380 Void.
3. Approve new liquor license for Las Margaritas Family Mexican Restaurant.
4. Approve liquor license renewals for Chevron/PDQ Oil Company #1103; Albertson's #471; Fra Amici Italian Restaurant; G. A. Maxwell's; and The Great Northern California Tavern.

MOTION by Leighan, second by Dierck, to approve consent items 1 through 4. Motion carried unanimously (6-0).

Legal

1. Water utility easement, Marysville School District.

Mr. Weed explained that when the pipeline was built, one segment was built on property where the city did not have a properly executed easement with the school district. This action would rectify that. The city would compensate the school district \$8,000 for the easement. The district would have the right to connect to the water main and construct up to three water lines, if necessary. When construction of any further lines occurred, the fire hydrants would be installed along school property. There would be no claims filed by the district as a result of the city not having an easement originally.

Mr. Zabell added that the line in question was on Getchell Hill, north of Hunter's store. It ran northerly up to the city's reservoir at 100th and 83rd.

Councilmember Brennick asked if the city did a survey when the waterline was constructed so it was assured that the line was in the West 10 feet as set out in the easement. Mr. Larson replied in the affirmative. Councilmember Brennick asked about the temporary easement. Mr. Weed explained the 25-foot temporary easement was for the purpose of having enough room to construct the line.

Councilmember Leighan questioned allowing a connection to the trunk line. Mr. Larson responded that it was not preferred, but the developer was putting in the actual distribution main and the district's connection would come off of that. That was the line that would serve the Plat of Centennial Trails.

DIRECTED: SEE 6-12-00
 MINUTES BY Brennick

MOTION by Leighan, second by Dierck, to authorize the Mayor to sign the Water Utility Easement with Marysville School District. Motion carried unanimously (6-0).

Ordinances & Resolutions

1. A Resolution of the City of Marysville amending Resolution No. 1980 Relating to the grant of a utility variance for Duane Smith for property located at 5115 124th Place N.E., Marysville, Washington.

MOTION by Bartholomew, second by Brennick, to adopt Resolution 1986. Dierck voted nay; all others voted aye; motion carried (5-1).

2. A Resolution of the City of Marysville granting a utility variance for Dujardin Development Company for property located at 108th Street N.E. and 67th Avenue N.E., Marysville, Washington.

MOTION by Bartholomew, second by Soriano, to approved Resolution 1987. Dierck voted nay; all others voted aye; motion carried (5-1).

3. A Resolution of the City of Marysville granting a utility variance for Boyden Robinett & Associates, L.P. for property located at 10110 59th Drive N.E., Marysville, Washington.

MOTION by Bartholomew, second by Brennick, to approved Resolution 1988. Dierck voted nay; all others voted aye; motion carried (5-1).

4. A Resolution of the City of Marysville granting a utility variance for Gateway Everett, LLC for property located at 18111 25th Avenue N.E., Arlington, Washington.

MOTION by Leighan, second by Brennick, to approved Resolution 1989. Dierck voted nay; all others voted aye; motion carried (5-1).

5. A Resolution of the City of Marysville repealing Resolution No. 1782 and adopting a new hotel/motel tax policy.

MOTION by Dierck, second by Leighan, to approve Resolution 1990. Motion carried unanimously (6-0).

6. A Resolution of the City of Marysville establishing a policy for recognition of volunteers and approval of expenses incurred by volunteers and other non-city employees.

Councilmember Dierck asked who the designee for the City Administrator would be; Mr. Zabell replied that it would be the City Clerk. Funds for this week's Volunteer Dinner would come from the General Fund.

MOTION by Dierck, second by Smith, to approve Resolution 1991. Motion carried unanimously (6-0).

DISCUSSION ITEMS:

None.

INFORMATION ITEMS:

1. Mayor's business.
 - Reminded that the Volunteer Dinner was June 8 at the Senior Center.
 - Reported on a meeting of the Olympic Pipeline Safety Consortium. He distributed a draft interlocal agreement that had been prepared by Redmond. The consortium was made up of 29 cities and counties and 10 fire prevention districts. The purpose was to present a more unified voice and present unified requests for information. The consortium planned to remain in existence for at least two years. The city's share of the cost would be \$5,000. This would be on a future agenda.

Councilmember Dierck asked about the trail using the pipeline right-of-way. Mr.

Weed noted that staff had reviewed the pipeline route through the city and it was predominantly not within public rights of way. The public rights of way were the only areas for which the city had franchise coverage.

2. Staff's business

Chief Carden:

- Reported on the successful work of the Graffiti Committee. Mayor Weiser reported an "x2" mark on a pole at 6th and Delta; Chief Carden agreed to follow up.

Mr. Zabell:

- Stated there was the potential to put the budget on the ballot, but the ballot title had to be to the auditor by August 4th. This would be discussed in detail at the council workshop.

Mr. Weed:

- Reviewed the law governing when a city could annex property that it substantially surrounded - when the area to be annexed was less than 100 acres and 80% of its boundaries were contiguous to the city's.
- Stated a resolution had been prepared implementing the city's desire to adopt and fund an Art in Public Places program. Council agreed to treat this at the next meeting.
- Would be absent on June 12 to attend his son's graduation from high school.

Mr. Larson:

- The Department of Health required sampling from homes with copper piping. That would be completed June 6.
- The Consumer Confidence Report was required by the Department of Health. This year's edition was being prepared in-house and contained data from the 1999 testing. It would be mailed to every customer.
- The city was well into its seasonal work of curb painting, mowing and spraying.

3. Call on councilmembers

Councilmember Brennick:

- Did staff wish to have the extensive agenda packets returned from the last meeting? Mayor Weiser advised they could be returned and recycled.

Councilmember Soriano:

- At the Fire Board and Commissioners seminar in Chelan, the Baldwin Research Group made a good presentation on risk management principles, sexual harassment, internal response procedures. He offered to share his materials, and suggested the city might want to have this seminar brought here. The Mayor asked to review the materials.

Councilmember Leighan:

- Asked for an update on 528. Mr. Larson reported it was at 28% completion and one week behind schedule.
- Asked about the number of police cars at the library. Chief Carden responded that the department often used the rooms at the library for training.
- Had received a lead on an old train car that could possibly be used for the public restroom project. Mayor Weiser agreed to follow up.

Councilmember Smith:

- When would school mitigation fees be brought to council? Mayor Weiser noted the Marysville School District would soon have a hearing before the County Planning Commission. Mary had requested capital facility plans from each of the school districts that lay within the city's boundaries. When all of this information was available, council would review it.

Councilmember Dierck:

- The Quilceda Allen Watershed Committee was doing a workshop. She asked councilmembers to let her know if there was specific information they wanted to know about. Councilmember Leighan asked if anything had been heard about the grant; Councilmember Dierck replied in the negative.

ADJOURN TO EXECUTIVE SESSION

Council adjourned into Executive Session at 8:30 p.m. to discuss one real estate matter, two pending litigation items and one personnel issue.

APRECTE
MAYORSTE
EE 6-12-00
clarification

ADJOURN

Council reconvened into regular session, took no further action and adjourned at 9:10 p.m.

Accepted this 12th day of June, 2000.

Mayor

City Clerk

[Handwritten Signature]

Recording Secretary